

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

VEIN & WELLNESS GROUP, LLC,

Plaintiff,

vs.

XAVIER BECERRA, in his official capacity as  
Secretary of the United States Department of  
Health and Human Services,

Defendant.

Case No. 1:22-cv-00397-JMC

**NOTICE OF APPEAL**

Pursuant to the Federal Rules of Appellate Procedure, notice is hereby given that Plaintiff Vein & Wellness Group, LLC (“VWG”) appeals to the Fourth Circuit Court of Appeals (“Fourth Circuit”) from the October 14, 2022 Memorandum Opinion (ECF No. 35) and Order (ECF No. 36) granting Defendant’s Motion for Summary Judgment, denying Plaintiff’s Cross-Motion for Summary Judgment, and affirming the administrative decision of the Medicare Appeals Council.

Dated: December 5, 2022

Respectfully submitted,

/s/Daniel Z. Herbst

Daniel Z. Herbst (Bar No. 17510)

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*Counsel for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on December 5, 2022, I served the foregoing **NOTICE OF APPEAL** on all counsel of record in this action via ECF.

/s/Daniel Z. Herbst  
Daniel Z. Herbst